

REMARKS

In response to the restriction requirement, Applicants hereby elect with traverse Group III – claims 32, 34, 37, 38 and 57.

Device claims 32-51 and method claims 57-59 remain in the case.

The Examiner at page 3, last line of the Office Action indicated that Gnuechtel in view of Keel established a lack of unity a posteriori. Device claim 32 and method claim 57 as amended herein, clearly distinguish over the combination of Gnuechtel and Keel for reasons set forth below and therefore claim 32 is an allowable linking claim generic to all of the dependent claims 33-51, and method independent claim 57 is also an allowable generic linking claim for dependent claims 58 and 59. Since the generic linking claim 32 and the generic linking claim 57 are allowable and inventive over Gnuechtel combined with Keel, it is respectfully requested that the Examiner rescind the restriction requirement and examine all claims 32-51 and 57-59 present in the case.

Claim 32 distinguishes over Gnuechtel in view of Keel for the following reasons. Claim 32 recites that the frame is pivotable relative to the stationary rolls about a first axis of rotation substantially perpendicular to said plane in order to modify a position of an edge of the web, and the frame is also pivotable relative to the stationary rolls about a second axis of rotation parallel to said plane and running in a movement direction of the web between the first and additional positionable rolls in order to modify the position of said edge of the web, the rotation about the first axis combined with the rotation about the second axis preventing sagging of said edge. Gnuechtel only shows a frame 46 pivotable about a vertical axis as shown in Fig. 3A at 56. This pivoting is for the purpose of a lateral web alignment (see abstract and column 1, line 15). Also Gnuechtel at column 1, line 25 observes that

the operations involved are for accurate lateral alignment of the web to maintain the web in proper registry with the machine that operates on the web. Undesirable web shifts from a proper lateral position are corrected by the steering mechanism for web alignment. There is no mention whatsoever in this reference of sagging at the edges and clearly no mention of the second axis of rotation recited in claim 32 parallel to the plane and running in the movement direction, and also no teaching of the rotation about the first axis combined with the rotation about a second axis preventing sagging of said edge. Gnuechtel never mentions sagging.

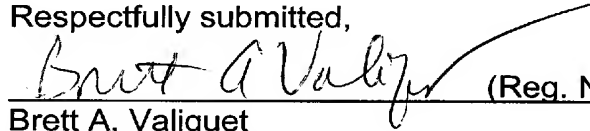
The Examiner cites as a secondary reference Keel to satisfy the deficiencies of the primary reference Gnuechtel. However, Keel is directed to preventing wrinkling or twisting when material is coiled despite variations in the thickness of the film (column 1, lines 10-12). To compensate for this varying thickness (see also column 4, lines 11-14), Keel uses as shown in Fig. 2A, 2B, and 2C two rolls which are tiltable about an axis 740 shown in Fig. 2C. But one skilled in the art would not combine Keel with Gnuechtel because Gnuechtel is for proper lateral web alignment whereas Keel is for compensating for varying thickness. Just like Gnuechtel, there is also no mention of sagging and clearly no teaching of any rotation about the first axis combined with the rotation about the second axis preventing sagging of the edge.

Since similar limitations are contained in both the generic linking claims 32 and 57 of the elected Group III, all of the dependent claims should be examined – namely 33-51 and 58-59 in conjunction with the examination of the generic linking claims.

Allowance of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Respectfully submitted,

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Brett A. Valiquet

SCHIFF HARDIN LLP

Patent Department - **CUSTOMER NO. 26574**

6600 Sears Tower 233 South Wacker Drive

Chicago, Illinois 60606

(312) 258-5786

Attorneys for Applicant

CH1\5868312.1